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TO:	Examiner Brian Whiteman	FROM:	Donald Zuhn
COMPANY:	PTO Fax Center Crystal Mall 1; Group 1633	DATE:	June 4, 2001
FAX NUMBER:	703-305-7401	FIRM CODE:	349-118
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Re: Restriction Election Facsimile Transmission
U.S. Patent Application No. 09/729,264, filed November 28, 2000
"B7-Like Molecules and Uses Thereof"
Welcher *et al.*

60214512

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01,668)

PATENT

In re Application of: Welcher et al.)

Serial No.: 09/729,264)

Filed: November 28, 2000)

For: B7-Like Molecules and Uses
Thereof)

Before the Examiner: B. Whiteman

Group Art Unit: 1633

Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached

Response to Restriction Requirement

2. Please charge any additional fees to Deposit Account No. 13-2490.
3. The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 herein above, are being facsimile transmitted to the Patent and Trademark Office (PTO Fax Center in Crystal Mall 1; Fax No. 703-305-7401) on June 4, 2001.

Respectfully submitted,
McDonnell Boennen Hulbert & Berghoff

Dated: June 4, 2001By: 

Donald Zuhn, Ph.D.
Reg. No. P-48,710

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01,668)

PATENT

In re Application of: Welcher et al.

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Before the Examiner: B. Whiteman

Group Art Unit: 1633

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT
MAILED MAY 4, 2001

Responsive to the Restriction Requirement, mailed May 4, 2001, Applicants elect to prosecute claims 1-8, 10, 11, 46-48, and 55, designated as Group I by the Examiner. Applicants further elect to prosecute the species of the nucleic acid sequence as set forth in SEQ ID NO: 1, with traverse. The basis for Applicants' traversal of the requirement is as follows.

Applicants respectfully submit that there will be no undue hardship on the Office in performing a search with respect to the nucleic acid sequences of SEQ ID NOs: 1, 3, and 5. The putative secreted portion of the human B7-Like polypeptides encoded by these sequences (*i.e.*, amino acid residues 9-382 of the amino acid sequence encoded by the nucleic acid sequence of SEQ ID NO: 1 and amino acid residues 13-386 of the amino acid sequences encoded by the nucleic acid sequences of SEQ ID NOs: 3 and 5) share a sequence identity of greater than 99% (Exhibit A). The open reading frames for each of these sequences share a sequence identity of greater than 97% (Exhibit B). Sequence alignments were performed using the application MacVector 7.0 (Accelrys, Cambridge, UK; <http://www.accelrys.com>) at the default settings.

Applicants do not believe any additional fee is required. However, the Commissioner is authorized to charge any deficiency to Deposit Account No. 13-2490. If Examiner Whiteman

believes it to be helpful, he is invited to contact the undersigned attorney by telephone at (312) 913-0001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: June 4, 2001

By: 

Donald Zuhn, Ph.D.
Reg. No. P-48,710

EXHIBIT A

ClustalW (v1.4) multiple sequence alignment

3 Sequences Aligned Alignment Score = 7182
Gaps Inserted = 0 Conserved Identities = 371

Pairwise Alignment Mode: Slow
Pairwise Alignment Parameters:
 Open Gap Penalty = 10.0 Extend Gap Penalty = 0.1
 Similarity Matrix: blosum

Multiple Alignment Parameters:
 Open Gap Penalty = 10.0 Extend Gap Penalty = 0.1
 Delay Divergent = 40% Gap Distance = 8
 Similarity Matrix: blosum

Processing time: 0.9 seconds

```
SEQ05_AA 1 MERHLLTVPEAVGSGSGNEVIEGPQNATVLKGSQARFNCTVSQGKWLIMWALSDMVVLSVRPMEPIITND 70
SEQ03_AA 1 MVAGAMENRDFPGSGSGNEVIEGPQNARVLKGSQARFNCTVSQGKWLIMWALSDMVVLSVRPMEPIITND 70
SEQ01_AA 1 MGLVIFLHGSQSGSGNEVIEGPQNATVLKGSQARFNCTVSQGKWLIMWALSDMVVLSVRPMEPIITND 66
*****

SEQ05_AA 71 RFTSQRYDQGGNFTSEMIHNVPEPSDSGNIRCSLQNSRLHGSAYLTVQVMGELFIPSVNLVVAENEPCEV 140
SEQ03_AA 71 RFTSQRYDQGGNFTSEMIHNVPEPSDSGNIRCSLQNSRLHGSAYLTVQVMGELFIPSVNLVVAENEPCEV 140
SEQ01_AA 67 RFTSQRYDQGGNFTSEMIHNVPEPSDSGNIRCSLQNSRLHGSAYLTVQVMGELFIPSVNLVVAENEPCEV 136
*****

SEQ05_AA 141 TCLPSHWTRLDPDISWELGLLVSHSSYYFVPEPSDLQSAVSILALTPQSNGLTLCVATWKSILKARKSATVN 210
SEQ03_AA 141 TCLPSHWTRLDPDISWELGLLVSHSSYYFVPEPSDLQSAVSILALTPQSNGLTLCVATWKSILKARKSATVN 210
SEQ01_AA 137 TCLPSHWTRLDPDISWELGLLVSHSSYYFVPEPSDLQSAVSILALTPQSNGLTLCVATWKSILKARKSATVN 206
*****

SEQ05_AA 211 LTVIRCPQDTGGGINIPGVLSLPSLGFSLPTWGKVLGLAGTMLLTPTCTLTIRCCCCRRRCCGCNCCC 280
SEQ03_AA 211 LTVIRCPQDTGGGINIPGVLSLPSLGFSLPTWGKVLGLAGTMLLTPTCTLTIRCCCCRRRCCGCNCCC 280
SEQ01_AA 207 LTVIRCPQDTGGGINIPGVLSLPSLGFSLPTWGKVLGLAGTMLLTPTCTLTIRCCCCRRRCCGCNCCC 276
*****

SEQ05_AA 281 RCCFCCRRKRGFRIQFQKKSEKEKTNKETETESGNENSGVNSDEQKTTDTASLPPKSCSSDPEQRNSSC 350
SEQ03_AA 281 RCCFCCRRKRGFRIQFQKKSEKEKTNKETETESGNENSGVNSDEQKTTDTASLPPKSCSSDPEQRNSSC 350
SEQ01_AA 277 RCCFCCRRKRGFRIQFQKKSEKEKTNKETETESGNENSGVNSDEQKTTDTASLPPKSCSSDPEQRNSSC 346
*****

SEQ05_AA 351 GPPHQRADQRPPRPASHPQASFNLASPEKVSNTTVV 386
SEQ03_AA 351 GPPHQRADQRPPRPASHPQASFNLASPEKVSNTTVV 386
SEQ01_AA 347 GPPHQRADQRPPRPASHPQASFNLASPEKVSNTTVV 382
*****
```

EXHIBIT B

Nucleic acid sequence alignment for SEQ ID NO: 1, 3, and 5 open reading frames.

```
Search Analysis for Sequence: SEQ01_ORF
Search from 1 to 1146 where origin = 1
Date: June 4, 2001
Time: 16:32:55
```

Matrix: DNA database matrix
Score Region from 1 to 1146
Maximum possible score: 4584

Database: Folder 'untitled folder'

[illegible]

290 300 310 320 330 340 350
SEQ01_ORF ggaacatcagatgcagcctccagaacagtcgctgcatggatctgcttacctaccgtccaagttatggg

1. SEQ03_ORF 300 310 320 330 340 350 360
[4488] GGAACATCAGATGCAGCCTCCAGAACAGTCGCTGCATGGATCTGCTTACCTTACCGTCCAAGTTATGGG>
|||
SEQ01_ORF ggaacatcagatgcagcctccagaacagtcgctgcatggatctgcttacctaccgtccaagttatggg

2. SEQ05_ORF 300 310 320 330 340 350 360
[4486] GGAACATCAGATGCAGCCTCCAGAACAGTCGCTGCATGGATCTGCTTACCTTACCGTCCAAGTTATGGG>
|||
SEQ01_ORF ggaacatcagatgcagcctccagaacagtcgctgcatggatctgcttacctaccgtccaagttatggg

360 370 380 390 400 410 420
SEQ01_ORF agagctgttcattcccagtgtaatactttagtcgctgagaatgaaccttctgaagttacttgtctaccc

1. SEQ03_ORF 370 380 390 400 410 420 430
[4488] AGAGCTGTTCATTCCCAGTGTAACTTTGTAGTCGCTGAGAATGAACCTTGTGAAGTTACTTGTCTACCC>
|||
SEQ01_ORF agagctgttcattcccagtgtaatactttagtcgctgagaatgaaccttctgaagttacttgtctaccc

2. SEQ05_ORF 370 380 390 400 410 420 430
[4486] AGAGCTGTTCATTCCCAGTGTAACTTTGTAGTCGCTGAGAATGAACCTTGTGAAGTTACTTGTCTACCC>
|||
SEQ01_ORF agagctgttcattcccagtgtaatactttagtcgctgagaatgaaccttctgaagttacttgtctaccc

430 440 450 460 470 480 490
SEQ01_ORF tcacactggaccgggtcccggatatttctgggagctcggtctcctggtcagccattcaagctattatt

1. SEQ03_ORF 440 450 460 470 480 490 500
[4488] TCACACTGGACCTGGCTCCCGGATATTTCTGGGAGCTCGGTCTCCTGGTCAGCCATTCAAGCTATTATT>
|||
SEQ01_ORF tcacactggaccgggtcccggatatttctgggagctcggtctcctggtcagccattcaagctattatt

2. SEQ05_ORF 440 450 460 470 480 490 500
[4486] TCACACTGGACCTGGCTCCCGGATATTTCTGGGAGCTCGGTCTCCTGGTCAGCCATTCAAGCTATTATT>
|||
SEQ01_ORF tcacactggaccgggtcccggatatttctgggagctcggtctcctggtcagccattcaagctattatt

500 510 520 530 540 550 560
SEQ01_ORF ttgttcgggagccagcgaccttcaaagtgcagtgagcatcctggctctgacccacagagcaatgggac

1. SEQ03_ORF 510 520 530 540 550 560 570
[4488] TTGTTCCGGAGCCCGAGCGACCTTCAAAGTGCACTGAGCATCCTGGCTCTGACCCACAGAGCAATGGGAC>
|||
SEQ01_ORF ttgttcgggagccagcgaccttcaaagtgcagtgagcatcctggctctgacccacagagcaatgggac

2. SEQ05_ORF 510 520 530 540 550 560 570
[4486] TTGTTCCGGAGCCCGAGCGACCTTCAAAGTGCACTGAGCATCCTGGCTCTGACCCACAGAGCAATGGGAC>
|||
SEQ01_ORF ttgttcgggagccagcgaccttcaaagtgcagtgagcatcctggctctgacccacagagcaatgggac

570 580 590 600 610 620 630
SEQ01_ORF tttgacttgctgggtacctggaagagcctgaaggcccgcaagctctgcaactgtaaatctcactgtgatt

1. SEQ03_ORF 580 590 600 610 620 630 640
[4488] TTTGACTTGCCTGCTTACCTGGAAGAGCCTGAAGGCCCGCAAGTCTGCAACTGTAAATCTCACTGTGATT>
|||
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2. SEQ05_ORF 580 590 600 610 620 630 640
[4486] TTTGACTTGCCTGCTTACCTGGAAGAGCCTGAAGGCCCGCAAGTCTGCAACTGTAAATCTCACTGTGATT>
|||
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SEQ01_ORF cgggtgtccccaagacactggagggtggtattaatattccagggtgattatcaagttaccgagtttaggtt

1. SEQ03_ORF 650 660 670 680 690 700 710
[4488] CGGTGTCCCAAGACACTGGAGGTGGTATTAAATATTCCAGGTGTATTATCAAGTTTACCGAGTTTAGGTT>
|||||
SEQ01_ORF cgggtgtccccaagacactggagggtggtattaatattccagggtgattatcaagttaccgagtttaggtt

2. SEQ05_ORF 650 660 670 680 690 700 710
[4486] CGGTGTCCCAAGACACTGGAGGTGGTATTAAATATTCCAGGTGTATTATCAAGTTTACCGAGTTTAGGTT>
|||||
SEQ01_ORF cgggtgtccccaagacactggagggtggtattaatattccagggtgattatcaagttaccgagtttaggtt

710 720 730 740 750 760 770
SEQ01_ORF tttcattgcttacttggggcaagttggacttggactagcaggcaccatgcttctgacgcccagcgtgtac

1. SEQ03_ORF 720 730 740 750 760 770 780
[4488] TTTCATTGCCTACTTGGGGCAAGTTGGACTTGGACTAGCAGGCACCATGCTTCTGACGCCGACGTGTAC>
|||||
SEQ01_ORF tttcattgcttacttggggcaagttggacttggactagcaggcaccatgcttctgacgcccagcgtgtac

2. SEQ05_ORF 720 730 740 750 760 770 780
[4486] TTTCATTGCCTACTTGGGGCAAGTTGGACTTGGACTAGCAGGCACCATGCTTCTGACGCCGACGTGTAC>
|||||
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780 790 800 810 820 830 840
SEQ01_ORF tcttacaatacgtgctgctgctgctgcccgcgtcggtgtgtggctgcaactgctgctgcccgttgtgtttc

1. SEQ03_ORF 790 800 810 820 830 840 850
[4488] TCTTACAATACGCTGCTGCTGCTGCTGCCGCCGTCGTTGTTGTGGCTGCAACTGCTGCTGCCGTTGTTGTTTC>
|||||
SEQ01_ORF tcttacaatacgtgctgctgctgctgcccgcgtcggtgtgtgtggctgcaactgctgctgcccgttgtgtttc

2. SEQ05_ORF 790 800 810 820 830 840 850
[4486] TCTTACAATACGCTGCTGCTGCTGCTGCCGCCGTCGTTGTTGTGGCTGCAACTGCTGCTGCCGTTGTTGTTTC>
|||||
SEQ01_ORF tcttacaatacgtgctgctgctgctgcccgcgtcggtgtgtgtggctgcaactgctgctgcccgttgtgtttc

850 860 870 880 890 900 910
SEQ01_ORF tgctgtagaagaaaaagaggatttcgtattcaatttcaaaagaaatctgaaaaagagaagacaaacaaag

1. SEQ03_ORF 860 870 880 890 900 910 920
[4488] TGCTGTAGAAGAAAAGAGGATTTTCGTATTCAATTTCAAAGAAATCTGAAAAGAGAGAACAAACAAAG>
|||||
SEQ01_ORF tgctgtagaagaaaaagaggatttcgtattcaatttcaaaagaaatctgaaaaagagaagacaaacaaag

2. SEQ05_ORF 860 870 880 890 900 910 920
[4486] TGCTGTAGAAGAAAAGAGGATTTTCGTATTCAATTTCAAAGAAATCTGAAAAGAGAGAACAAACAAAG>
|||||
SEQ01_ORF tgctgtagaagaaaaagaggatttcgtattcaatttcaaaagaaatctgaaaaagagaagacaaacaaag

920 930 940 950 960 970 980
SEQ01_ORF aaactgagacagaaagtggaaatgaaaactccggctacaattcagatgaacaaaagaccacagacaccgc

1. SEQ03_ORF 930 940 950 960 970 980 990
[4488] AAACAGACAGAAAGTGGAAATGAAAATCCCGCTACAAATCACATCAACAAACACCAACACACACCC>
|||||
SEQ01_ORF aaactgagacagaaagtggaaatgaaaactccggctacaattcagatgaacaaaagaccacagacaccgc

2. SEQ05_ORF 930 940 950 960 970 980 990
[4486] AAACAGACAGAAAGTGGAAATGAAAATCCCGCTACAAATCACATCAACAAACACCAACACACACCC>
|||||
SEQ01_ORF aaactgagacagaaagtggaaatgaaaactccggctacaattcagatgaacaaaagaccacagacaccgc


```

          990      1000      1010      1020      1030      1040      1050
SEQ01_ORF  ttctctccctcccaaatcctgtgaatccagtgatcctgaacaaagaaacagtagctgtggccctcctcac

1. SEQ03_ORF  1000      1010      1020      1030      1040      1050      1060
[ 4488 ]      TTCTCTCCCTCCCAATCCTGTGAATCCAGTGATCCTGAACAAAGAAACAGTAGCTGTGGCCCTCCTCAC>
              |||
SEQ01_ORF      ttctctccctcccaaatcctgtgaatccagtgatcctgaacaaagaaacagtagctgtggccctcctcac

2. SEQ05_ORF  1000      1010      1020      1030      1040      1050      1060
[ 4486 ]      TTCTCTCCCTCCCAATCCTGTGAATCCAGTGATCCTGAACAAAGAAACAGTAGCTGTGGCCCTCCTCAC>
              |||
SEQ01_ORF      ttctctccctcccaaatcctgtgaatccagtgatcctgaacaaagaaacagtagctgtggccctcctcac

          1060      1070      1080      1090      1100      1110      1120
SEQ01_ORF  cagcgggctgatcaacgtccacccaggccagcaagtcacacaggcttcttttaattctggccagtcctg

1. SEQ03_ORF  1070      1080      1090      1100      1110      1120      1130
[ 4488 ]      CAGCGGGCTGATCAACGTCCACCCAGGCCAGCAAGTCATCCACAGGCTTCTTTTAATCTGGCCAGTCCTG>
              |||
SEQ01_ORF      cagcgggctgatcaacgtccacccaggccagcaagtcacacaggcttcttttaactctggccagtcctg

2. SEQ05_ORF  1070      1080      1090      1100      1110      1120      1130
[ 4486 ]      CAGCGGGCTGATCAACGTCCACCCAGGCCAGCAAGTCATCCACAGGCTTCTTTTAATCTGGCCAGTCCTG>
              |||
SEQ01_ORF      cagcgggctgatcaacgtccacccaggccagcaagtcacacaggcttcttttaactctggccagtcctg

          1130      1140
SEQ01_ORF  agaaggtcagtaatacaactgtagta

1. SEQ03_ORF  1140      1150
[ 4488 ]      AGAAGGTCAGTAATACAACTGTAGTA>
              |||
SEQ01_ORF      agaaggtcagtaatacaactgtagta

2. SEQ05_ORF  1140      1150
[ 4486 ]      AGAAGGTCAGTAATACAACTGTAGTA>
              |||
SEQ01_ORF      agaaggtcagtaatacaactgtagta
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